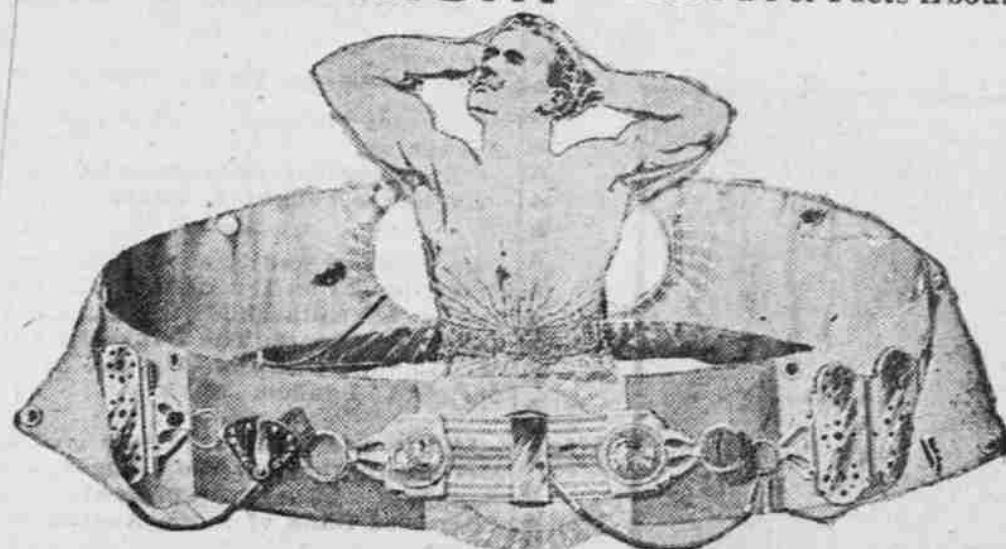


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I want you to read this book and learn the truth about my arguments. If you are not as vigorous as you would like to be, if you have rheumatic pains, weak kidneys, loss of vitality, prostatic troubles, nervous spells, varicose or any ailment of that kind that weakens you, it would assure you future happiness if you would look into this method of mine. Don't delay it, your best days are slipping by. If you want this book I send it closely sealed free, if you send this ad. Call for free consultation.

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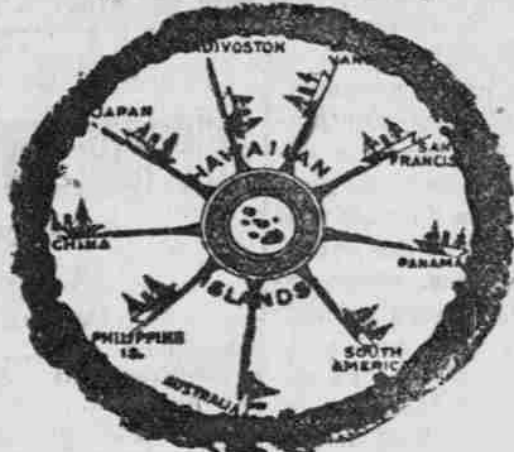
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CHARGE TO GRAND JURY**De Bolt Refers to Epidemic of Crime.****No Investigation of Officers Is Needed.**

W. W. Dimond Is Foreman of the Grand Jury Which Will Begin Work Today.

Judge De Bolt charged the grand jury at the opening of the February term of court yesterday morning, and the jury will begin its work this morning. Special stress was laid by the court upon the prevailing epidemic of robberies and thefts in Honolulu, and strict economy was also urged upon the jurors in the pursuit of their investigations.

The court appointed as foreman W. W. Dimond, and W. S. Ellis will act as bailiff. Half a dozen jurors were excused by Judge De Bolt, and three were not present, so that the jury as now constituted is composed of but fourteen members, a very small number, as a vote of twelve is required to indict. Attachments were issued for John Emmeluth and George W. Hayseiden, and they reported during the afternoon that they had been served for today instead of Monday.

In his charge Judge De Bolt gave an interesting sketch of the origin of the grand jury, its powers and duties.

Among other things, the court said: You should fearlessly and unhesitatingly proceed and act upon the absolutely essential and indispensable principle that no guilty person shall escape just punishment, and that no innocent person shall suffer an injustice at your hands. In courts of justice, of which juries form a part, individuals of the community appear upon a plane of absolute equality, each as a unit of society, and each alike impartially clothed by the hand of justice with the same rights. Each and all alike may invoke the protection of the law of the land, which stands as a guaranty that no person shall be deprived of life, liberty or property without due process of law. While the law, with its strong arm thus protects, it also with like power commands that its mandates shall be observed and obeyed by all. Under the constitution of the United States, which is the supreme law of the land, no person in the Territory of Hawaii shall be held to answer upon a charge for a capital, or otherwise infamous crime, unless on a presentment or indictment of grand jury, except in certain cases under conditions which do not now exist.

A capital crime is one punishable with death. An infamous crime is one punishable by imprisonment for a period of time exceeding one year, or such for the commission of which the accused may be deprived of his civil rights. Under the act organizing this Territory, the number of grand jurors shall be not less than thirteen nor more than twenty-three, and no indictment shall be found, nor shall any presentment be made, without the concurrence of at least twelve grand jurors. You will thus observe, Gentlemen of the Grand Jury, that, although the concurrence of only twelve grand jurors are essential to the finding of an indictment or making a presentment, still, the law requires that at least thirteen of your members shall at all times be present to constitute a grand jury, and for the transaction of any business by you.

The Attorney General, or his deputy, shall advise you in regard to the law of the cases and matters that come before you, and draw the indictments, but, neither the Attorney General nor his deputy shall give the Grand Jury advice as to the sufficiency or insufficiency of the evidence to authorize the finding of an indictment, nor take part in your deliberations. Your findings and determinations upon facts and evidence must be your own, uninfluenced by the promptings or suggestions of any person or persons whomsoever. Investigations before a Grand Jury must be made in accordance with the well-established rules of evidence; and, as governing your final action in the matter of finding an indictment, you must have the best legal proof of which the case admits. That is to say, you must have primary evidence as distinguished from secondary evidence. In this respect a Grand Jury is a judicial tribunal. Nevertheless a Grand Jury is not controlled by technical rules of evidence; but, you should receive and

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consider, as controlling your final action in a matter, none but legal evidence, to the exclusion of mere reports, rumors, suspicions, and hearsay evidence. Legal evidence consists in original writings, or duly recorded or certified copies thereof, and facts testified to by some person who has personal knowledge of them. Neither should you hear and take into consideration irrelevant or immaterial evidence, nor should your time be unnecessarily consumed in hearing cumulative evidence.

If, in the course of your proceedings, any case or matter should come before you in which any individual juror or jurors shall be interested, thus disqualifying him or them, he or they shall not participate in the consideration of such case or matter, but withdraw therefrom.

The court also desires to impress upon your minds the importance as well as the necessity of absolute secrecy in

all your proceedings. The ends of justice are best subserved and the business coming before you will be facilitated by quiet, dignified, orderly and secret work. Therefore, it would be highly improper for you to discuss among yourselves outside of the Grand Jury room any case or matter which may have been submitted, or which may be pending, or which may or might come before you for consideration. Neither shall you discuss or permit any person to discuss with you, or any of you, any such case or matter, nor shall you give out any intimation to any person regarding any matter before you.

A person accused of crime is not entitled to notice that the Grand Jury is investigating the charge against him, and it will be your duty, at all times, to seek to prevent notice or knowledge of

(Continued on Page 6.)

The Baseball Season

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